

## DUPED BY PAYNS, SON'S WIFE SAYS

Tricked Into Signing Her Rights After \$5,500, She Charges.

## TELLS OF CRUELTY ON HONEYMOON

Ex-Insurance Head's Heir Declares Woman Drank and Was Spendthrift.

Lon F. Payn, former Superintendent of Insurance and veteran Republican leader of Columbia County, is co-defendant, with his son, Colonel Elijah L. Payn, in a suit brought in the Supreme Court yesterday by Mrs. Blanche D. Payn, wife of the son. She is suing to set aside an agreement she alleges she signed while ill and in a weakened condition, in which she consented to accept \$5,500 in settlement of all claims she might have against her husband.

This alleged inadequate settlement, Mrs. Payn says, was the result of collusion between her husband and his father. She also seeks a separation, declaring that, two months after her marriage in 1912, Colonel Payn began to treat her cruelly and that he has been habitually intoxicated.

### A Romance of Sea.

Mrs. Payn is an Englishwoman, who was married before she became the wife of Payn in London. Her marriage to Payn followed a brief acquaintance and a courtship that began on a shipboard. The final break came in April, 1914, in London, where Payn admits he left her. From that time to January, 1915, the wife relates, she was in want. She was compelled to pawn jewelry and other belongings to buy necessities of life and suffered from the cold because she was

unable to buy winter clothing, she said. At the time she could afford only one meal a day.

Colonel Payn's cruelty was "studied," his wife alleges, and because of his acts and his indifference she became ill and unable intelligently to transact business. It was while in this condition, it is alleged, that Lou Payn and his son entered into collusion by offering her the \$5,500 in full settlement of any claim, dower or alimony.

She insists that the provision was not adequate, considering her husband has property valued at \$150,000.

### Payn Admits He Quilt Wife.

Colonel Payn admits he left his wife. He says she has sent him many messages asking for his return and more money. Mrs. Payn followed him to this country in October, 1914, he declares.

The \$5,500 was paid to Mrs. Payn by the father. An agreement, under which the wife accepted this money, explained that the pair separated because of "unhappiness and insurmountable differences."

Payn asserts he was always a good husband, and makes the counter charge it was his wife who was cruel, and besides was "abusive and malicious." He also declares she was addicted to drinking and was much in the company of other men. Some of these, it is said, were not of good character, and were seen frequently in cafes and restaurants of bad reputation in New York and Paris.

Extravagance in the purchase of clothes and jewelry is another allegation made by Colonel Payn, who adds that he was compelled to leave Mrs. Payn because of the humiliation and indignities to which she subjected him. However, he has not brought any suit against her.

In proof of his assertion that his wife knew men of bad character, Colonel Payn mentions that she caused the arrest of one who stole a diamond ring from her.

## FRENCH HOLD DUTCH CITIZEN

Family Protests Arrest Following Search of Steamer.

Berlin, Sept. 20 (by wire) to Sayville, N. Y.—During an inspection of the Dutch steamer Koningin der Nederlanden by men from a French cruiser, a Dutch citizen was arrested without any reason, according to an Amsterdam dispatch to the Overseas News Agency to-day.

The family of the arrested man has advised the Dutch Foreign Office of the case, the dispatch adds.

## FUR ON HIS COAT MAY WIN FOR HER

Artist Told Wife It Came from Cat He Met on Sketching Trip.

## POWDER ON HIS SHOULDER WITH HAIRS

Mrs. Horter Alleges Husband Allowed Her To Be Evicted.

Earl B. Horter, an artist, whose work brings him an income of from \$7,000 to \$10,000 a year, is revealed as a man of temperance in the testimony adduced before William J. Burke as referee in a separation suit brought by Mrs. Elia Horter.

The testimony furnished by Mrs. Horter convinced Mr. Burke that she should have a decree, and he so recommended to the Supreme Court yesterday. If his findings are confirmed Mrs. Horter will have the custody of her six-year-old son, Donald. Horter has agreed to pay her \$26 a week alimony.

Making sketches on the Brooklyn Bridge in the early morn while attired in evening dress is one of the temperamental things attributed to Horter on his own admission.

### Didn't Explain Powder on Coat.

On the same occasion his dress coat bore hairs from some sort of fur and also some powder. His explanation to Mrs. Horter regarding the former was that he had been fondling a kitten. He didn't explain the powder. Mrs. Horter explained that her husband came home at 5 o'clock that morning hatless.

"He was covered with perspiration, as if he had been dancing," was what she had to say about it.

Hortor was in Europe in 1914. While there Mrs. Horter declared he wrote her for money and said he would return home on the Imperator. Instead he came on the President Lincoln, arriving the same day as the other vessel. He made this change, Mrs. Horter alleged, to prevent his wife meeting him, as he also had forbidden her to go to the pier with their son to see him sail.

### Wife Says She Was Evicted.

Three months later he left his residence at 4260 Broadway and never returned. In his absence his wife was evicted for non-payment of rent. Even when their child was ill, said Mrs. Horter, the artist failed to send money for medical treatment, although she had notified him of the boy's condition.

Mrs. Horter, a woman of nervous temperament, was also made ill by her husband's treatment, the referee asserts.

"At Christmas time," she complained, "he whipped our boy and shut him in a room and didn't give either of us anything for Christmas." Mrs. Horter also quoted her husband as saying he preferred the company of other women and liked restaurant living better than eating at home.

## Million Left Homeless by Big Flood in China

Ten Cities and 7,000 Square Miles of Territory Inundated. All Crops Destroyed, Food Supply Short and the People Appeal for Aid.

Washington, Sept. 20.—Almost 1,000,000 persons have been made homeless by one of the greatest floods on record in that section of China where the American Red Cross already has spent \$600,000 for food protection and where the \$30,000,000 loan for reclamation work which was postponed by the war was to have been spent.

Reports to the State Department today from the American Consul at Nanking said the Hwao River had inundated an area of about 7,000 square miles in Anhui Province. Appeals for aid have been sent out for the homeless, who virtually are entirely dependent on charity, as all the autumn crops were destroyed.

The flood occurred in a very flat, alluvial section, where the north-to-south passage of the Grand Canal had dammed up a large lake and allowed the Hwao River too little space to carry off the excess of water.

### Waters Long Held.

To-day's delayed advances described conditions several weeks ago, but officials believe there probably has been little improvement. In the case of previous floods in that district the waters have been held for long periods by the alluvial soil.

The State Department summed up its dispatches of the subject in the following announcement: "The department has received from the American Consul at Nanking dispatches giving detailed information re-

## GERMANS INSIST ON RUTHLESS WAR

Full Use of U-Boats and Zeppelins Is Demanded.

## HIGH OFFICIALS SHARE VIEWS

Tirpitz and Prince von Buelow Indorse the Liberal Leader.

Berlin, Sept. 19 (via London, Sept. 20).—Major Ernst Bassermann, leader of the National Liberal party, in a keynote speech delivered on Monday before his constituents in the Saarbruecken district declared that the submarine campaign had been postponed and not abandoned. Major Bassermann advocated the widest possible use of both submarines and Zeppelins and the most ruthless methods of warfare.

The National Liberal leader asserted that his views were shared by Admiral von Tirpitz, Admiral von Koester, Prince von Buelow and Count Zeppelin. He maintained that "in a struggle wherein the existence of Germany is at stake the most ruthless use of all possible weapons is called for."

This sentiment was heartily applauded by his audience. Submarines and Zeppelins, continued Major Bassermann, were the most effective weapons against "our arch-enemy, England."

### Warns Against Americans.

Referring to the United States, Major Bassermann warned his hearers against trusting for any permanent effect upon American sympathies from England's blacklist policy and the achievements of the Deutschland and other commercial submarines. He warned them also not to hope that the present American protests to England would have any greater effect than their predecessors.

No prospects of peace were held out by the speaker. He told his hearers that there was any immediate prospect of an end to the war. On the contrary, Germany was facing a more difficult war than had at first appeared possible, but nevertheless he saw no reason to doubt ultimate victory.

### Tirpitz in Controversy.

Admiral von Tirpitz has been aroused by charges brought against him by Professor Valentini that he furnished incorrect information to the Reichstag during the submarine controversy. Professor Valentini is employed in the Foreign Office, and the papers print letters which passed between Admiral von Tirpitz and Chancellor von Bethmann-Hollweg in regard to the affair.

From the letters it appears that in a private conversation Professor Valentini asserted that Admiral von Tirpitz had misled the Reichstag in regard to the number of available submarines and the possibility of a submarine campaign.

The admiral demanded that the Chancellor discipline Professor Valentini. Chancellor von Bethmann-Hollweg in his reply freed von Tirpitz from Valentini's charges, but decided that the professor is not subject to his disciplinary powers.

**Two Jerseymen Aboard Ship Sunk by U-Boat**  
Washington, Sept. 20. Consul General Skinner, at London, cabled the State Department to-day that two American sailors, William Wootton, 104 North Thirtieth Street, Harrison, N. J., and Bernard Sweeney, 21 East Twenty-third Street, Bayonne, N. J., were saved from the British steamer Strathay, torpedoed by a submarine September 6 in the English Channel.

Whether the Strathay was attacked without warning was not stated. Details of information on this point will be sought before any inquiry is addressed to Germany.

**Harvard Will Exclude Plague.**  
Cambridge, Mass., Sept. 20.—Harvard University authorities took steps to-day to prevent the possible introduction of infantile paralysis when the institution opens September 25. Cards have been prepared asking the students

## BRITAIN PROTESTS PLOTS LAD IN U.S.

Asserts Germans Are Active in California and Manila.

## OFFERS APOLOGY FOR CEBU HOLD-UP

London Says the Warship Was Trying to Capture Reservist.

(By Cable to The Tribune.)

London, Sept. 20.—The British government has made strong representations to Washington on the ground that United States territory is being used to foment plots against British rule in various parts of the world, especially in India. This information comes to The Tribune from a high authority.

The State Department is informed that the two most active centers of this agitation are California and Manila. In California the plots are said to flourish amid a colony of expatriated Indians, while Manila is declared to be the headquarters for German plotters for the Far East.

Britain has furnished proof of one instance, where the Germans spent \$500,000 buying arms with the intention of smuggling them into India. The Manila organization is composed mainly of Germans who fled from Shanghai in the last six months, finding that city too dangerous.

Britain has apologized for the action of a British destroyer in holding up the Philippine steamer Cebu within the territorial waters of the Philippines. But behind that story is woven

whether they have been exposed to the disease. Those who have been barred from classes.

a background of these Indian plots. Well-founded reports here have it that the Cebu was followed by British warships in an effort to capture a German reservist on board the Philippine steamer. This reservist is said to be one of the Manila junta seeking to bring about a revolution in India.

The United States has made no reply to the British protest. But evidence continues to come in, showing the extent of these German activities. According to official circles the Manila organization is subsidized heavily by Germans.

## Lansing Doesn't Know of Protest, He Says

Washington, Sept. 20.—Secretary Lansing said to-night that he had no knowledge of British representations on German plots in Manila. So far as he remembers the only instance in which plots in the Far East were brought to the attention of the United States government was the British note on the seizure of Germans aboard the steamer Cebu. This incident is now closed. Of the \$500,000 arms deal Mr. Lansing says he never heard.

Great Britain to-day expressed to the United States regret for the action of a British destroyer in holding up and examining the Philippine steamer Cebu within the territorial waters of the Philippines. Because of a heavy fog, it was explained, the destroyer's commander did not know the vessel was near shore.

In the absence of Ambassador Spring-Rice Colville Barclay, counselor of the British Embassy, called at the State Department at the request of Foreign Secretary Grey and presented the explanation and expression of regret. Department officials said later the incident was regarded as closed.

## British Aid Mail, Consul Says.

Clive Bayley, British Consul General at New York, issued a statement yesterday denying reports circulated by Germany that the Dutch mails were being held at Liverpool. "I should advise Americans who wish to expedite their mail to Holland to send it either by one of the American Line or White Star Line steamers, sailing every Wednesday or Saturday," Mr. Bayley said. "In dispatching the mail to Holland via Liverpool, they can save almost a week."

## SEARCH FOR JENI SHIFTED TO N. Y.

Auto Racer Accused of Shooting Wife Eludes Patchogue Posse.

Search of the swampy undergrowth fringing Great South Bay yesterday failed to reveal the hiding place of Frederick Jeni, the young automobile racer who is accused of attempting to murder his wife in the barn at the summer home of her parents, Mr. and Mrs. James B. Olson, in Patchogue, Long Island.

Mrs. Jeni, the victim of four bullet wounds, is a patient at St. Vincent's Hospital, Seventh Avenue and Eleventh Street. The hospital authorities refused to give any information about her condition last night. Her parents, accompanied by her two-year-old daughter, returned yesterday to their winter home, at 693 Riverside Drive.

After an all night vigil on Swan River and highways in the neighborhood of the Olson home, on Chapel Avenue, deputies and detectives, under command of Sheriff C. J. Odell of Suffolk County, confessed they had discovered no trace of Jeni. On the theory that he might have escaped to New York, they communicated with local police headquarters and sent Detective George Hutchins, representing District Attorney Ralph Green, to investigate the fugitive's alleged haunts in Manhattan.

Deputy Sheriff Frank Norton said they believed Jeni had given the authorities the slip by running along the Long Island Railroad tracks and he reached the main highway in Patchogue.

Lieutenant William Wheeler, in charge of the United States Coast Guard stations on Long Island, said he would notify his beach patrolmen to watch for persons answering Jeni's description. It was feared he might be crossed. Great South Bay to Patchogue, where he could hide until interest in the search had slackened.

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## Cash Awards

NEXT Sunday The Tribune will reproduce on the eighth page of its famous SUNDAY GRAPHIC 21 well known subway car cards. These will be beautifully printed, and will be exact replicas of the originals, with the exception that all identifying names and lettering will have been removed. Can you tell what well known products these popular cards advertise?

The New York Tribune will award \$150 in cash prizes for a correct list of what these cards feature, together with a letter of not over two hundred words telling "Why Advertising Interests Me." The correct list that carries with it the best letter in the judgment of an impartial committee of advertising men will be awarded a first prize of \$75; the second best, \$25; the third, \$20; the fourth, \$15; the fifth, \$10; and the sixth, \$5.

Contest closes at midnight the following Thursday, September 28th, and all answers must bear a postmark of not later than that date. On Sunday, October 1st, announcement will be made of the winners, and the prize winning letter and the page of 21 car cards will be reproduced in exact facsimile just as they appear in the subway.

Here's a contest unique, simple and altogether interesting—an opportunity to test your powers of observation. Make sure you get The Tribune next Sunday, October 1st, by placing an order with your newsdealer to-day. Join in the fun—there's probably a substantial reward awaiting your efforts.

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And as you sit and enjoy all these musical riches, you will marvel at the varied accomplishments of the Victrola and thoroughly appreciate its value as a companion and entertainer—a treasured possession in your home.

Daily demonstrations at all Victor dealers'. Go today and hear the kind of music you like best. The Victor dealer in your neighborhood will gladly play it for you and demonstrate the various styles of the Victor and Victrola—\$10 to \$400.

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